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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/889,191 | 07/12/2001 | Per Ake Torngren | IT19990006 | 8376 |

7590

10/07/2003

Joel M Van Winkle
Whirlpool Corporation
2000 North M 63
Maildrop 2200
Benton Harbor, MI 49022-2692

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| EXAMINER |
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YEUNG, GEORGE CHAN PUI

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| ART UNIT | PAPER NUMBER |
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1761

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/889,191

Applicant(s)

Jomgren et al

Examiner

George Young

Group Art Unit

1761

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-34 ☒ are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 24 and 25 ☒ are allowed.
- ☒ Claim(s) 1-23 and 26-34 ☒ are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☒ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
- ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

DETAILED ACTION

Claims 30, 31 and 34 are objected to because of the following informalities:

1. The phrase "characterised in that" recited in claims 30 and 31 should be changed to -- wherein -- in order to conform to the terminology used in the U.S. claim practice.
2. The phrase "any one of claims 30" recited in claim 34, line 1 should be changed to read -- claim 30 --.

Claims 1-23 and 26-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention for the following reasons:

1. The terms "preferably" and "advantageously" recited in claims 1-3, 7, 10-14, 26, 29, 30 and 33 are indefinite.
2. The limitation "no additional microwave energy is supplied to the oven cavity" recited in claim 27, lines 1-2, is improper since it is a negative limitation. The claim should be definite and positive as to what is actually being claimed.

Claims 24 and 25 are allowed.

Claims 1-23 and 26-34 are free of the prior art. Claims 1-23 and 26-34 would be allowable if amended to overcome the objections and the rejections under 35 U.S.C. 112 set forth in this Office action.

The Ueda patent is cited to show a microwave oven having low-energy defrost and high-energy cooking modes. The Eke patent is cited to show a method of defrosting a frozen food item in a microwave oven. The Kim patent is cited to show a defrosting method for a microwave oven using an infrared sensor.

Reasons for Allowance

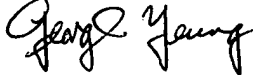
The following is an examiner's statement of reasons for allowance: The prior art of record does not show or suggest the combination of method steps set forth in claims 1-3 and 24 and the combination of structural elements set forth in claim 14 for thawing frozen food in a microwave oven.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Yeung whose telephone number is (703) 308-3848. The examiner can normally be reached on Monday-Friday from 10:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on (703) 308-3959. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

George C. Yeung/mn
September 29, 2003


GEORGE C. YEUNG
PRIMARY EXAMINER